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Attorney Docket No. 09800080-0035

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:

Mary E. Gerritsen, et al.

Application No. 09/865,859

Filed: May 25, 2001

For: Method of Inhibiting Angiogenesis

) Group Art Unit: 1616
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) Examiner: Sabiha Naim Qazi
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I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 8, 2003

Paula M. Theismann
Paula M. Theismann

Commissioner for Patents
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated February 11, 2003, finally rejecting claims 1-4, 6, 9, 10, 12-14 and 16. Pursuant to 37 C.F.R. § 1.17(b), the fee for this Notice of Appeal is \$320.00. A Petition for a three (3) month extension of time (fee calculated below) under C.F.R. § 1.136(a) is enclosed. PTO Form 2038 is enclosed to cover the required fees.

Three month extension of time	\$930.00
Extension fee paid with previous response	<u>\$410.00</u>
Total extension fee now due	\$520.00

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 08/08/03

By: *Paul E. Rauch*

Paul E. Rauch, Ph.D.
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08/12/2003 AWONDAF1 00000011 09865859

01 FC:1401	320.00 OP
02 FC:1253	520.00 OP

AF/16/16
#**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5


Application Number	09/865,859
Filing Date	May 25, 2001
First Named Inventor	Mary E. Gerritsen
Group Art Unit	1616
Examiner Name	Sabiha Naim Qazi
Attorney Docket No.	09800080-0035

ENCLOSURES (check all that apply)

- ☒ Transmitted herewith is a Notice of Appeal
- ☒ The fee has been calculated as shown below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS		-		0	<input type="checkbox"/> x \$9.00 <input type="checkbox"/> x \$18.00	\$0
INDEPENDENT CLAIMS		-			<input type="checkbox"/> x \$42.00 <input type="checkbox"/> x \$84.00	\$0
	APPLICATION AMENDED TO CONTAIN ANY MULTIPLE DEPENDENT CLAIMS NOT PREVIOUSLY PAID FOR.			<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> x \$140.00 <input type="checkbox"/> x \$280.00 ONE TIME	\$0
	TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$00

- ☒ Applicant petitions the Commissioner for Patents to extend the time for responding to the Office Action dated February 11, 2003 by 3 month(s) for a fee of \$520.00 (\$930.00 - \$410.00 (fee paid with previous response) so that the period for response is extended to August 11, 2003 under 37 C.F.R. § 1.321.
- ☐ The amount of \$_____ for the Terminal Disclaimer under 37 C.F.R. § 1.321 is included in the enclosed check.
- ☐ The amount of \$_____ for the Amendment under 37 C.F.R. § 1.312(b) is included in the enclosed check.
- ☒ The enclosed credit card payment form to charge the amount of \$840.00 covers the Notice of Appeal (\$320) and 3 month extension of time (\$520).
- ☒ The Commissioner is hereby authorized to charge the additional claim fee, extension fee and any additional fees which may be required, or to credit any overpayment to Account No. 19-3140. A duplicate of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT14. ☒ Customer No. 26263Dated: August 8, 2003
Paul E. Rauch, Ph.D. (Reg. No. 38,591)**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Dated: August 8, 2003
Paula M. Theismann**RECEIVED**

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